

LAKE LOCAL FORMATION COMMISSION
MINUTES
May 17, 2017
REGULAR MEETING

Members Present:

Stacey Mattina, City Member, Chair
Moke Simon, County Member
Tina Scott, County Member
Joyce Overton, City Member
Victoria Brandon, Special District Alternate
Ed Robey, Public Member
Suzanne Lyons, Public Alternate
Jeff Smith, County Alternate
Bruno Sabatier, City Alternate

Staff Present:

John Benoit, Executive Officer
P. Scott Browne, Legal Counsel
Kathleen Moran, Clerk-Analyst

Absent: Allen Gott, Special District Member, Gerry Mills, Special District Member, Vice-Chair.

1. Call to Order

Chair Mattina called the meeting to order at 9:30 a.m. in the Clearlake City Council Chambers. EO announced that Commissioners Mills and Gott will not be in attendance today.

2. Selection of Public Member Alternate for Term ending May 5, 2021.

EO spoke to the applications submitted by Kathleen Buscher and Incumbent Suzanne Lyons. He reviewed the appointment process for Public Member Alternate, specifically that there must be at least one affirmative vote from County, City and Special District representatives to approve a nomination.

Chair Mattina asked if Ms. Bucher was present, EO responded she was not. Chair asked if Ms. Lyons wished to make statement. Ms. Lyons spoke to her background and experience of four years on LAFCo, as well as other related committees.

Commissioner Robey noted Ms. Bucher has not previously attended meetings and is not present to speak to her qualifications. Commissioner Overton spoke to Ms. Lyons' experience and in support of her appointment. EO stated that Commissioner Gott also expressed support for Ms. Lyons.

Commissioner Overton nominated Suzanne Lyons for Public Member Alternate for a 4-year term effective May 5, 2017 through May 5, 2021. Motion carried by unanimous vote.

3. Approval of Minutes

Motion by Commissioner Robey, seconded by Commissioner Simon to approve the Minutes of the March 15, 2017 Regular Meeting. Motion carried.

4. Public Comment – None.

5. Consent Agenda

Motion by Commissioner Overton, seconded by Commissioner Simon to authorize payment of expenses for March and April 2017. Motion carried.

6. Public Hearing regarding the 2017-2018 Final LAFCo Budget.

EO opened discussion with a follow-up of key items from the March meeting.

1. Reserve Fund

Reserve remains at \$40,000. Lake LAFCo policy goal is a \$50,000 reserve, and Commissioners had expressed the desire to increase that amount to \$100,000 in the future. The current goal of \$50,000 would require an increase in contributions from the Cities, County and Districts. Brief discussion was held. Commissioners expressed concern with any increase and spoke to a decrease in tax revenue due to the fire and the fiscal impact that has had on the cities and County. EO noted another option would be to utilize the larger than anticipated carryover this year toward the reserve instead of increasing the contributions from the cities, County and Districts. EO stated he will know that the carryover amount in September.

2. Meeting stipend for Counsel

As discussed previously, Mr. Browne's current contract provides for \$175/hr. Standard litigation rate for in-house Counsel is \$225/hr. Discussion was held. Upon an advisory vote of the Commission, Chair directed amended contract for an in-house litigation rate of \$225.00/hr be agendized for consideration.

3. Cost of MSR preparations

EO's current contract is \$82.50/hr for MSR Preparation. As directed EO polled comparable counties. \$105.00/hr is the average rate. Discussion was held. Upon advisory vote of the Commission, EO was directed to agendize contract amendment changing the rate to \$100.00/hr for July meeting.

EO spoke to anticipated grant funds from the State Water Resources Control Board for MSR and SOI preparation, as well as a contribution from Hidden Valley Lakes for MSR preparation, however, funds cannot be budgeted unless received.

EO reviewed some projects currently in the preliminary stages. Commissioner Robey asked about the probability of the annexation of South Lakeport or other projects that may cause additional work for the Commission. EO responded that he has not received an application for the project.

10:06 a.m. Commissioner Smith is present.

10:08 a.m. Chair asked if there were any other questions or comments and hearing none, closed the Public Hearing and called for the question.

Motion by Commissioner Overton, seconded by Commissioner Scott to adopt Resolution #2017-0005, a Resolution of the Lake Local Agency Formation Commission Adopting a Final Budget for FY 2017-2018. Resolution passed and adopted by the following vote:

AYES: Commissioners Brandon, Overton, Scott, Mattina, Robey and Simon.

NOES: None.

ABSENT: Commissioners Gott and Mills.

7. Report on Calafco Staff Workshop in Fresno

Counsel reported on the meeting and workshops. He stated the meetings and workshops were very good, and that he received a lot of good information.

8. AB 464

Counsel reported the bill is moving forward. He thanked Commissioner Brandon for her efforts in the preliminary stages.

9. Executive Officer's report on Key Projects

- a. Adams Springs and Cobb Service Review and Sphere of Influence – consolidation of districts. Kickoff meeting is set to happen soon. The various agencies are coming together to work on it. EO will do Service Review and Sphere of Influence update.
- b. Hidden Valley Lake Service Review and Sphere of Influence. EO has completed and submitted to District for their initial review. It includes Valley Oaks Subdivision.
- c. Edmands Reclamation District Dissolution – final documents record today.
- d. Peschon Annex to the Callayomi Co. Water District – final documents record today.
- e. Hodges Annexation to the Finley Water District (CSA #6) -EO has begun work.
- f. Spring Valley Distribution Annex (CSA #2) - documents filed with State Board of Equalization.

10. Counsel's Report (Previously covered in Agenda items 7 & 8)

11. Commissioner Reports


Commissioner Lyons asked about the status of the Storm Water Commission, specifically if they were active and meeting. Ms. Lyons noted that both she and

Commissioner Overton were involved and have seen no action yet. Commissioners Scott and Simon to check with the County.

12. Correspondence – None.

10:24 a.m. Meeting adjourned.

Next regular meeting: Wednesday July 19, 2017 in Lakeport.

By: 
Kathleen Moran, Clerk